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Official Records

Fiftieth Session

118th plenary meeting
Friday, 10 May 1996, 10.30 a.m.
New York

President: Mr. Freitas do Amaral . . . . . (Portugal)

The meeting was called to order at 11.15 a.m.

Agenda item 120 *(continued)*

Scale of assessments for the apportionment of the expenses of the United Nations (Article 19 of the Charter) (A/50/888/Add.7)

The President: I should like to draw the General Assembly's attention to document A/50/888/Add.7.

In a letter contained in that document, the Secretary-General informs me that, since the issuance of his communications dated 28 February, 6 March and 3, 11, 16, 23 and 25 April 1996, Bolivia has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of this information?

It was so decided.

Agenda item 8 *(continued)*

Adoption of the agenda and organization of work

Request for the reopening of the consideration of agenda item 17 (b) (Appointments to fill vacancies in subsidiary organs and other appointments: appointment of members of the Committee on Contributions)

Note by the Secretary-General (A/50/952)

The President: In his note contained in document A/50/952, the Secretary-General informs the General Assembly that he has received notification of the resignation of Mr. Yuri Chulkov, Russian Federation, from the membership of the Committee on Contributions and that the Assembly will therefore be required at its current session to appoint a person to fill the unexpired portion of the term of office of Mr. Chulkov, that is, until 31 December 1996.

In order to enable the General Assembly to take the required action, it will be necessary to reopen consideration of sub-item (b) of agenda item 17, entitled "Appointment of members of the Committee on Contributions".

May I take it that the General Assembly, on the proposal of the Secretary-General, wishes to reopen consideration of sub-item (b) of agenda item 17?

It was so decided.

The President: Members will recall that, at its 3rd plenary meeting, on 22 September 1995, the Assembly allocated this sub-item to the Fifth Committee.

May I take it that the Assembly again wishes to allocate this sub-item to the Fifth Committee?

It was so decided.

96-85670 (E)

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The President: The Chairman of the Fifth Committee will be informed of the decision just taken.

Agenda item 7 *(continued)*

Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations

Note by the Secretary-General (A/50/442/Add.1)

The President: As members are aware, in accordance with the provisions of Article 12, paragraph 2, of the Charter of the United Nations and with the consent of the Security Council, the Secretary-General is mandated to notify the General Assembly of matters relative to the maintenance of international peace and security that are being dealt with by the Security Council and of matters with which the Council has ceased to deal.

Members will recall that the Assembly took note of the note by the Secretary-General on agenda item 7 contained in document A/50/442 at its 98th plenary meeting, on 22 December 1995.

In this connection, the General Assembly has before it a note by the Secretary-General issued as document A/50/442/Add.1.

May I take it that the Assembly takes note of that document?

It was so decided.

Agenda item 45 *(continued)*

The situation in Central America: procedures for the establishment of a firm and lasting peace and progress in fashioning a region of peace, freedom, democracy and development

Report of the Secretary-General (A/50/935 and Corr.1 (Spanish only))

Draft resolution (A/50/L.72)

Report of the Fifth Committee (A/50/951)

The President: I call on the representative of Mexico to introduce draft resolution A/50/L.72.

Mr. Albín (Mexico) (*interpretation from Spanish*): It is an honour for me to introduce, on behalf of its sponsors — Canada, Colombia, Mexico, the Russian Federation, Spain, the United States of America and Venezuela — the draft resolution contained in document A/50/L.72, entitled "United Nations Office of Verification in El Salvador".

On 30 April 1996 the Mission of the United Nations in El Salvador (MINUSAL) declared its work concluded. In his report (A/50/935) to the General Assembly the Secretary-General indicated that he had reached the conclusion that, despite the considerable progress achieved during the year MINUSAL was present in El Salvador, the verification functions assumed by the United Nations could not be fully carried out by 30 April.

Accordingly, the Secretary-General proposed that the United Nations replace MINUSAL with a small group of experts on the ground, entrusted with following up the implementation of the agreements and with supporting his Envoy in his exercise of verification and good offices. That mechanism would be called the United Nations Office of Verification (ONUV). The Secretary-General added in his report that the work of that Office would be combined with periodic visits by high-level envoys.

The sponsors of the draft resolution concur with the Secretary-General's analysis of the importance of a continued United Nations presence for verification functions, and we fully support his proposals for political and institutional follow-up in order to conclude the pending aspects of the peace agreements.

After recalling resolution 50/7, of 31 October 1995, on the extension of the MINUSAL mandate and taking into consideration the report of the Secretary-General and the joint letter of the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN), which expresses broad agreement on the institutional arrangements proposed by the Secretary-General, the preamble of the draft resolution before us recognizes with satisfaction that El Salvador is continuing in its evolution from a war-torn country to a democratic and peaceful nation. It further commends the Member States that have contributed personnel and voluntary financing for the Mission.

In its operative part, the draft resolution welcomes the continuing commitment of the Government and people of El Salvador to the consolidation of the peace process. It pays tribute to the work of MINUSAL and the Special Representative of the Secretary-General. It recognizes the

political commitment of the parties to continue to comply with the provisions of the peace agreements and urges them to work together to complete their implementation without delay.

By adopting this draft resolution, the Assembly would decide to establish a small United Nations Office of Verification, headed by an official at the appropriate political level, with a mandate extending through 31 December 1996.

It is worth mentioning here certain facts that we consider illustrative. In April 1994 the total number of personnel of the United Nations Observer Mission in El Salvador (ONUSAL) reached 1,559. By March 1995 that number had been reduced to 236. In its successor, MINUSAL, there were 17 persons in June 1995. The Office of Verification that this draft resolution proposes to establish would consist of only nine persons. That is what we are talking about when we refer to a small Office of Verification.

The draft resolution in document A/50/L.72 also provides that the Office should be financed within existing resources, in a manner consistent with the effective fulfilment of its mandate, and taking into account that the Secretary-General will submit proposals on possible means of absorbing its costs into the programme budget for the biennium 1996-1997.

The draft resolution goes on to note that regular visits to El Salvador by senior officials from United Nations Headquarters are making a significant contribution towards the full implementation of the peace accords. It emphasizes the importance of the cooperation of the new United Nations Verification Office with other United Nations bodies and calls upon Member States and international institutions to continue to provide assistance for peace-building and development in El Salvador.

Finally, the Secretary-General is requested to report on the implementation of the draft resolution.

We sponsors are convinced that the implementation of the peace agreements has reached a critical phase. For that reason, we attach the highest priority to the continued presence of the United Nations in El Salvador. It is imperative to ensure that this case, which has been described as one of the most satisfactory experiences of our Organization, should be brought to a successful conclusion.

With the support of the Secretary-General and the Office of Verification, with the presence and cooperation of the countries that make up the Group of Friends and with the support and generous contribution of the international community, the sponsors trust that all measures necessary will be adopted to ensure that this process in El Salvador, begun in 1989, will be fully and satisfactorily completed by the end of this year.

The sponsors invite the General Assembly to express its support for the Salvadoran peace process through the unanimous adoption of the draft resolution I have had the honour to introduce.

Mr. Ferrarin (Italy): I have the honour to speak on behalf of the European Union. The following countries associated with the Union have expressed their intention of associating themselves with the following statement: Cyprus, Hungary, Latvia, Lithuania, Malta, Poland, Romania and Slovakia.

The European Union has repeatedly underlined the importance of a continued United Nations presence in El Salvador and of the United Nations participation in the consolidation of peace and democracy and in the fulfilment of the peace process in a country torn by civil war for years. This operation represents a United Nations success story in keeping with fundamental principles enshrined in the San Francisco Charter.

Over a five-year period the direct involvement of the United Nations has made a fundamental contribution to the transitional process of Salvadoran society. Thanks to the satisfactory conduct of the presidential, legislative and local-government elections in May 1994, that process has given the country a renewed stability based on democratic values and respect for human rights.

Exactly one year ago, in responding to the recommendations of the Secretary-General and to the requests of the Government and the Frente Farabundo Martí para la Liberación Nacional (FMLN), the United Nations Observer Mission in El Salvador (ONUSAL), at the end of its mandate, was transformed into a Mission adapted to the improved situation and therefore less burdensome to the United Nations budget.

The new Mission was able adequately to ensure the presence of the international community and the direct support of the United Nations for the peace process, especially in the areas that proved to be most critical to the implementation of the Chapultepec Agreement: public

security, constitutional and legislative reform, the land-transfer programme and the transfer of rural human settlements.

The General Assembly agreed, with the full consensus of all the Member States, on the need to continue assistance to El Salvador, *inter alia*, in the verification of the implementation of the peace accord. This was the reason for the establishment of the Mission of the United Nations in El Salvador (MINUSAL). The European Union believes that the attitude shown by the parties committed to the implementation of the Chapultepec Agreement has fully proven that the peace process is irreversible. Now that the most critical stage — during which there was still some risk to the fundamental aspects of the process — is over, we have clearly entered the post-conflict peace-building phase. As the Secretary-General points out in his latest report, this is demonstrated by the fact that, in the past 15 months, cooperation between the parties, ONUSAL/MINUSAL and other agencies, in which the United Nations Development Programme played a leading role, has made it possible to formulate numerous projects for technical assistance and institutional strengthening. The Salvadoran Government presented a number of projects to the Consultative Group donor meeting convened by the World Bank and Inter-American Development Bank in Paris last June. Other donor countries, including some members of the European Union, have contributed bilaterally, also in areas crucial to the improvement of security.

One of the many lessons that can be learned from the United Nations experience in El Salvador is the need in multi-functional operations for continuity between peace-keeping, preventive diplomacy and post-conflict peace-building, in a general context in which development issues must be addressed through constant and coordinated interventions.

In the Secretary-General's report, we note with satisfaction the positive trends towards the establishment of the rule of law, based on respect for human rights and a more capable and efficient judicial system. In this regard, the office of the National Counsel for the Defence of Human Rights has provided a significant contribution, and the strengthening of its action must be praised.

The European Union is aware of the work still to be completed. There is a need to verify that every aspect of the peace agreements is implemented. In particular, we note the importance of the reform of the legal system and other legislative reforms, of security, of land transfer, of the transfer of human settlements and of the reintegration of former combatants. Furthermore, we are concerned about the recent adoption of emergency legislation designed to fight crime, which, as the Secretary-General points out in his report, represents a substantial departure from the process embodied in the peace accords and contradicts, in some instances, basic human rights and due-process standards.

In the view of the European Union, special attention must be paid to the reform of the electoral system. Alongside some encouraging signs — such as the approval of the bill creating the national civil registry and its Organic Law — there are shortcomings in the long-term reform and in the preparation of the legislative and local-government elections for 1997. We cannot hide our concern over the report's indication that the registry will probably not be in place for the upcoming elections. At the same time, we note the difficulties described in the functioning of the Supreme Electoral Tribunal.

It is in this spirit that the European Union will support the electoral reform, which constitutes the most significant step towards complete democratization. The European Union is therefore convinced of the need to maintain a qualified United Nations presence in the country. Today's draft resolution, which establishes the United Nations Office of Verification — which, together with the periodic missions from New York, will help the parties fulfil their commitments — deserves our full support.

This operation is of the same nature as those referred to in the letter of the Secretary-General to the President of the General Assembly, circulated as document A/50/891, in which he alerts Member States to the implications of requesting him to implement extended mandates without at the same time providing adequate additional funding. As a major contributor to the United Nations regular and peace-keeping budgets, assuring at present 50 per cent of the actual cash flow, the European Union is aware of these implications. We fully share the view expressed by the Secretary-General that human rights missions have been established to help bring to an end long-standing conflicts and create conditions for a lasting peace in the countries concerned.

In our view, it is not possible at this stage to have a clear understanding of whether it is necessary to have additional appropriations or whether it can be reasonably expected that the expenses for the United Nations Office of Verification will be partially absorbed within the

existing resources. Let me say that the European Union is ready to agree on the financing of this operation with additional assessments if it proves impossible to absorb these expenditures through savings from the programme budget. To that extent, it may not be ultimately possible to carry out these activities within the existing resources.

Mr. Gelber (United States of America): Having supported the people of El Salvador in their efforts, first to achieve peace and now to rebuild their society and consolidate democracy, the United States is proud to be a sponsor of draft resolution A/50/L.72, which establishes the United Nations Office of Verification (ONUV). The United Nations has played an essential role in bringing peace to El Salvador. Its outstanding work — first through the United Nations Observer Mission in El Salvador (ONUSAL), then through its successor, the Mission of the United Nations in El Salvador (MINUSAL), and now through ONUV — has set the standard by which all other United Nations missions will be judged.

Let there be no doubt: the Salvadoran peace process has been an overwhelming success. We meet here today to authorize this presence as the capstone of an enormous effort by the Salvadoran Government, the Frente Farabundo Martí para la Liberación Nacional and the entire Salvadoran people. It is imperative that the parties bring the same dedication and courage that they showed in negotiating the Chapultepec Agreement to completing its implementation. As we do not envision an extension of this Mission, the parties must fulfil their commitments without delay. The United States will continue to do all that it can, in concert with the international community, to assist the parties to that end.

Finally, we are pleased with the action in the Fifth Committee regarding the financing of ONUV, which we consider to be an important consideration, and we look forward to the Secretary-General's report requested by the Fifth Committee.

Mr. Yáñez-Barneuvo (Spain) (*interpretation from Spanish*): Earlier in this debate the representative of Italy spoke on behalf of the European Union. Obviously, my delegation fully associates itself with his statement. However, we wish to make some additional comments, Spain being both a member of the Group of Friends of the peace process in El Salvador and a country that contributes personnel and assistance to the United Nations presence in El Salvador.

El Salvador has come a long way since the Chapultepec Agreement of January 1992. One of the most savage conflicts to have beset that region is now over, thanks to resolute will of the parties, assisted by the United Nations and the work of the Group of Friends, to make the fervent wishes of the Salvadoran people for peace and reconciliation come true. During these years we have actively followed the transformation of that will into specific steps, and we supported the approach taken. The presence of the United Nations Observer Mission in El Salvador (ONUSAL) and, later, the Mission of the United Nations in El Salvador (MINUSAL) has enabled the United Nations, at the request of the parties, to carry out its mandate, verify and monitor the full implementation of the peace agreements.

I wish to take this opportunity to commend the important work carried out at the head of MINUSAL, first by Mr. Enrique ter Horst, and later by Mr. Ricardo Vigil, as representatives of the Secretary-General. The regular visits of the Assistant Secretary-General for Political Affairs, Mr. Alvaro de Soto, have likewise contributed considerably to this process.

The mandate of MINUSAL ended on 30 April 1996, and, despite the clear progress made, all the pending aspects of the peace agreement finally established by the parties in the programme of work of 27 April 1995 have not been fully resolved, in particular with respect to public security, the process of legislative and constitutional reform, the land transfer programme and the transfer of rural settlements. This emerges from the report of the Secretary-General of 23 April 1996.

The letter that the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN) jointly addressed to the Secretary-General on 23 April 1996, underscores the keen commitment of the parties to ensure the fulfilment of the peace agreement in the best possible way. To that end, they request the formation of a United Nations presence to verify the total implementation of the items still pending. In his report the Secretary-General also concludes that the United Nations should continue to exercise its good offices in El Salvador through a presence on the ground to assist the parties in that work.

It is a source of satisfaction for my delegation to see the progress that has been made and to express our confidence that this new stage in the United Nations presence in El Salvador will mean the definitive culmination of the country's transition process to real and

complete national reconciliation and consolidation of democracy through the strengthening of institutions and through economic and social development. The peace process in El Salvador is one of the best examples of what can be achieved by the will of a people and the commitment of the parties. The international community should continue to lend its support so that those achievements will not be undone, but, rather, will be firmly consolidated through the full implementation of the peace agreements.

In accordance with the draft resolution contained in document A/50/L.72, introduced earlier by the representative of Mexico on behalf of the Group of Friends, the General Assembly would decide, following the recommendation of the Secretary-General, to establish a small United Nations Office of Verification (ONUV), headed by an official at the appropriate political level, which would be entrusted with verifying the implementation of pending aspects of the peace agreements in El Salvador until 31 December 1996.

This is an important decision, to be adopted at the request of the parties. It focuses on the most pressing priorities for ensuring that the peace process can be successfully concluded by the end of this year. The establishment of this new mechanism called ONUV is also an acknowledgement of the work done to date, since fewer resources and personnel will be sufficient to carry out the tasks of verification and good offices in connection with unresolved issues. In this way the international community is expressing its confidence that the Government of El Salvador and the other political and social forces of the country will take concrete steps to accelerate the implementation of the pending aspects of the peace agreements, especially where the will and political determination of the parties, in a spirit of cooperation and flexibility, constitute a key factor for overcoming the present delays.

The peace process in El Salvador is irreversible. The consolidation of democracy is rooted in the strengthening of its institutions and respect for the rule of law — hence the importance of setting in motion reforms in the judicial system and, in particular, the constitutional and other legislative reforms that have yet to be ratified in the national Assembly, pursuant to the peace agreements and the recommendations of the Commission on the Truth. The emergency measures adopted to combat the increase in crime should not undermine the advances achieved in public security, among which we should emphasize the creation of the National Council on Public Security; nor should they infringe fundamental human rights and freedoms.

Spain, as a country which provides advisers and instructors for the National Public Security Academy and the National Civil Police, takes the view that these institutions should continue to develop in a legislative and functional framework, in accordance with the peace agreements. We welcome the fact that, as the Secretary-General states in his report, broader and broader sectors of Salvadoran society are aware of the importance of public security measures in consolidating democracy and the rule of law and in improving the quality of life of the population.

Together with consolidation of its democracy, El Salvador is undertaking the important task of national reconstruction and development. The international community has made a firm commitment to that undertaking, adding its efforts to those of the Government of El Salvador and all of Salvadoran society, as is shown by the many technical-assistance and institution-strengthening projects being carried out in the country by organs of the United Nations system, international financial institutions and donor countries, such as Spain. Advances in programmes for land transfer and rural human settlements will also make it possible to increase such international assistance.

Under the draft resolution before the General Assembly, which we hope will be adopted by consensus, the international community will continue to help the parties comply with the pending aspects of the peace agreements, through the United Nations Office of Verification, regular visits to El Salvador by high-ranking officials from United Nations Headquarters and the coordinated work of the organs of the system. All of this clearly shows the interest our Organization takes in ensuring that the peace processes in Central America will become an example of harmony, democracy and development for all the world. Spain joins in this collective effort, expressing its confidence that the will of the parties and all of Salvadoran society will ensure that the full implementation of the peace agreements will become an integral part of the daily life of every citizen of that country.

The President: We have heard the last speaker in the debate on this item.

We shall now proceed to consider draft resolution A/50/L.72, entitled "United Nations Office of Verification in El Salvador".

The report of the Fifth Committee on the programme budget implications of the draft resolution is contained in document A/50/951.

The Assembly will now take a decision on draft resolution A/50/L.72.

May I take it that the Assembly decides to adopt draft resolution A/50/L.72?

The draft resolution was adopted (resolution A/50/226).

Mr. Meléndez-Barahona (El Salvador) (*interpretation from Spanish*): We note with concern that the mandate of the Mission of the United Nations in El Salvador (MINUSAL) formally came to an end on 30 April last, in accordance with General Assembly resolution 50/7, and that the replacement mechanism to maintain the United Nations presence in El Salvador through the end of December 1996, proposed by the Secretary-General in his report contained in document A/50/935, could not be implemented because additional credits were not allocated and other mandates were not reduced. This lack of financial resources could affect the Organization's commitment and responsibility to fulfil its mandate to provide verification and good offices until the final implementation of the tasks pending under the peace agreements in areas that are fundamental to the consolidation of peace, development and democratization in El Salvador, in accordance with the request of the Government of El Salvador and the other parties to the Chapultepec Accords.

Given this situation, we have followed with attention and interest the discussion on the financing of the various peace-keeping operations and of other activities with financial implications for the budget of the Organization in the biennium 1996-1997 — including those relating to El Salvador — which have great importance to the Organization in its efforts to achieve the goals of international peace and security established by the Charter.

We understand that the United Nations is currently experiencing a financial crisis, which many have described as a payments crisis arising from the non-compliance of States Members of the Organization, especially major contributors, with their financial obligations. This affects the implementation and efficient development of important projects in which the Organization has been given a mandate to fulfil, pursuant to resolutions of the General Assembly or the Security Council.

The United Nations has been doing first-rate work in the peace process in El Salvador, focusing its activities on verifying fulfilment of all the commitments contained in the Peace Accords signed in Mexico City in 1992. Since that date great progress has been achieved, moving from peace-keeping to the consolidation and building of peace. The result, as the draft resolution states, has been

> "the continuing evolution of El Salvador from a country torn by conflict into a democratic and peaceful nation". *(A/50/L.72, third preambular paragraph)*

This draft resolution was generously submitted by the delegation of Mexico on behalf of the Group of Friends of the process. The Government of El Salvador and the other parties to the peace agreements have repeatedly reaffirmed their political commitment to continue to implement their provisions to the fullest, because this is seen as a key element for consolidating the peace process. Both internally and externally, it is believed that there remain situations, deriving from non-compliance with the peace agreements, that require the attention and support of the international community in order successfully to complete the process, which thus far has made positive advances in the consolidation of peace, in keeping with the spirit and will of the participants in the process. We believe that the process deserves continued solidarity and appropriate support in order to achieve the proposed objectives and to overcome the problems that gave rise to the conflict. This would lead to the laying of solid foundations, so that the achievements made so far could become irreversible.

The United Nations presence in El Salvador has undergone a process of reduction, in line with needs and political developments in El Salvador, to the point of the current proposal to establish a small United Nations Office of Verification in El Salvador. The cost of this Office, if compared with that of other United Nations field operations, is small in financial terms but of enormous dimensions in terms of the value of providing verification and good offices in order to facilitate the full implementation of the peace agreements in El Salvador. This has been acknowledged by the Government of El Salvador and the parties involved in the agreements in their respective messages to the Secretary-General

reaffirming the need for the Organization to maintain a presence until the final fulfilment of the commitments of the peace agreements.

We are pleased to note the understanding and the good will shown by delegations in considering this item in the Fifth Committee. Recognizing the importance of maintaining an international presence in El Salvador, they facilitated the necessary consensus so that the Committee could recommend to the General Assembly the adoption of draft resolution A/50/L.72.

In conclusion, we wish to thank the members of the Committee, and especially its Chairman, Ambassador Erich Vílchez Asher, for submitting two draft decisions, one of which was adopted by the Committee on the basis of its inclusion of the provisions agreed on as appropriate by the members of the Committee. Likewise, we wish to state once again our appreciation to the international community, in particular to the Secretary-General, his Special Representatives and the countries that are Friends of the peace process, for their solidarity and their support for maintaining a United Nations presence in El Salvador in order to verify the final stage of the implementation of the agreements. For this reason, now that the General Assembly has adopted the resolution, we believe that the countries that doubted the need for a United Nations presence have now understood that the efforts to consolidate peace in El Salvador are larger than the cost that they may entail. We hope that when the mandate of the United Nations Office of Verification in El Salvador is completed in December 1996, we will be able to say to the international community that we have fully implemented and complied with the agreements, in accordance with the aspirations of the Salvadoran people.

The President: We have thus concluded this stage of our consideration of agenda item 45.

Programme of work

The President: At the request of several delegations, the last item on our agenda for this morning, sub-item (a) of agenda item 95, entitled "Trade and development", is postponed to a later date, to be announced in the *Journal*.

The meeting rose at 12.05 p.m.